

FORM TO BE USED BY A PERSON FILING A PETITION FOR
WRIT OF HABEAS CORPUS UNDER 28 U.S.C. §2241

FILED _____
LODGED _____
ENTERED _____
RECEIVED _____

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

JUN - 1 2007

KEENAN KESTER COFIELD 12249-074--FEDERAL NUMBER

NEOCC/CCA
2240 Hubbard Road
Youngstown, Ohio 44505-3198

BT

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

MARYLAND DOC # 326-109

(Full name, date of birth, identification
number and address of the petitioner)

v.

MARYLAND PAROLE COMMISSION,
ITS COMMISSIONER/SECRETARY
MARYLAND DIVISION OF CORRECTIONS
INMATE GRIEVANCE OFFICE, DIRECTOR
STATE OF MARYLAND,

Civil Action No. CCB 07-1471
(Leave blank. To be filled in by Court.)

U.S. MARSHAL SERVICE
FEDERAL BUREAU OF PRISONS, DIRECTOR
NEOCC/CCA-WARDEN TAPIA FOR STATE OF MD & US MARSHAL/BOP
PETITIONER MANDATORY RELEASED TO FEDERAL DETAINERS OF THE BOP/US MARSHAL
SERVICE
(Full name and address of the respondent(s))

PETITION FOR WRIT OF HABEAS CORPUS
PETITION FOR WRIT OF MANDAMUS & ALL WRITS ACT

I. Background

A. Where are you detained?

Federal Prison

State Prison

Local Jail or Detention Center

Mental Health Facility

Other, describe _____

B. If you have been convicted and sentenced, provide the following information:

1. Name and location of court which imposed sentence: _____
Circuit Court for Baltimore County, Maryland, Towson, MD
2. Your criminal case number(s): _____
01-CR-3868
3. The date you were sentenced: _____
Feb. 24, 2005
4. The charges on which you were convicted: _____
Theft

C. If you are awaiting trial on criminal charges, provide the following information:

1. Name and location of court in which charges are pending: _____
2. Your criminal case number(s): _____
3. List any hearing or trial dates which have been scheduled: _____
4. List the charges that are pending against you: _____
5. Your attorney's name, address and telephone number: _____

D. If you are detained in a mental health facility, provide the following information:

1. How were you committed?
 By a court for evaluation.
 By a court after being found not criminally responsible.
 Involuntary civil commitment.

_____ Other, explain, _____

2. When were you committed? _____

II. Previous lawsuits

A. Have you filed other cases or motions in state or federal court dealing with the same facts as in this case?

YES NO []

B. If you answered YES, describe that case(s) or motion(s) in the spaces below.

Motion to Correct An Illegal Sentence &

1. Type of case or motion: _____

Petition for Writ of Habeas Corpus--Several filed
MD Court of Special Appeals and Court of Appeals-MD

2. Parties to the other case(s):

Petitioner: Keenan K. Cofield

Respondent(s): STATE OF MARYLAND/MD PAROLE COMM/DOC

3. Court (if a federal court name the district; if a state court name the city or
U.S. District Court/Baltimore City/Baltimore City/
county): _____

4. Case No.: Washington County **CASE NUMBERS UNKNOWN**

5. Date filed: N/A-Don't Have records

6. Name of judge that handled the case: N/A

7. Disposition (won, dismissed, still pending, on appeal): dismissed, affirmed

8. Date of disposition: _____

III. Administrative proceedings

A. If you are in a Division of Correction facility, did you file an administrative remedy procedure request under DCD 185-001, et seq.?

NO LONGER IN DOC FACILITY

YES [] NO [X]

1. If you answered YES:

a. What was the result? _____
Denied the credit requests

b. Did you appeal to the Commissioner?

YES [] NO []

2. If you answered NO to either of the questions above, explain why you did not file an administrative remedy procedure request or an appeal to the

Commissioner. _____

3. Did you file any other type of administrative complaint such as an appeal to the warden of an adjustment decision?

YES [X] NO []

4. If you answered YES, explain what you filed and what was the result.

SAME AS ABOVE

B. If you are in a Division of Correction facility **or** Patuxent Institution, did you file a complaint with the Inmate Grievance Office?

YES [X] NO []

1. If you answered YES:

Request denied. Did not have

a. What was the result? _____
jurisdiction, etc.

b. Did you appeal to the Circuit Court?

YES [] NO []

c. What was the result? _____
DENIED RELIEF

d. Did you file an application for leave to appeal to the Court of Special Appeals?

YES [] NO [] DENIED. Affirmed relief, etc.

e. What was the result? _____

C. If you are a state prisoner challenging a parole revocation decision, complete the following.

N/A

1. Date of revocation decision: _____.

2. Did you appeal the revocation decision to the Circuit Court?

YES [] NO []

3. If you answered YES, what was the date of the Circuit Court's decision and what was the decision?

4. Did you appeal the decision of the Circuit Court?

YES [] NO []

5. If you answered YES, what was the result and the date of the decision?

D. If you are in a Federal facility, did you attempt to resolve your complaint informally?

YES [] NO [xx] N/A

1. If you answered YES:

a. Did you file a formal complaint to the warden?

YES [] NO []

b. Did you appeal the warden's decision to the Regional Director?

YES [] NO []

c. Did you appeal the Regional Director's decision to the Office of General Counsel?

YES [] NO []

d. What was the result? _____

2. If you answered NO to any of the questions above, explain why you did not file an administrative complaint or appeal.

This was a State matter.....

E. If you are a federal prisoner challenging a parole revocation decision, complete the following.

1. Date of revocation decision: _____

2. Did you appeal the revocation decision to the National Appeals Board?

YES [] NO []

3. If you answered YES, what was the date of the National Appeals Board's decision and what was the decision.

F. If you are not in a Division of Correction or Federal facility, is there a grievance procedure at your institution?

YES [XX] NO []

If your answer is YES:

1. Did you file a grievance?

YES [] NO [XX]

2. If you filed a grievance what was the result? _____

3. If you did not file a grievance explain why not? _____

CCA does not have jurisdiction over subject-matter

IV. Statement of claim

(Briefly state the facts of your case. Include dates, times, and places. Explain why you believe you are improperly detained. If you are making a number of related claims, number and explain each claim in a separate paragraph.)

On February 24, 2004, the Petitioner was placed on House Arrest/

~~Home Detention/Home Confinement, while on State Probation from Baltimore County on Case Number 01-CR-3868, prior to the above date. On 2/24/2004 the Petitioner was placed on Federal House Arrest, with various conditions. Petitioner was later arrested on the instant State offense. On 2/24/2005, the Petitioner was sentenced on the State charges and received a (4) year term of imprisonment, concurrently with any other sentence. Petitioner had requested, pursuant to 6-219(e), 6-218, credits for any and all time served while on Home Confinement. Judge Turnbull denied the request. The Petitioner filed numerous Motions to Correct Illegal Sentences, then Several Habeas Corpus Petitions in Baltimore Co., Baltimore City, and Washington County Circuit Courts. All relief was DENIED. MD Code §6-219(e) is mandatory, that an inmate be awarded any credits for any and all time served in CUSTODIAL CUSTODY. The Petitioner correctly is on Mandatory Parole from the MD Parole Commission, until sometime in 2009. If the Petitioner received said CUSTODIAL CREDITS under §6-219(e), he Parole would immediately expire, as, the credits adversely affected the~~

V. Relief

(State briefly what you want the Court to do for you)

Petitioner is entitled to credits from 2/24/2004 to be applied and awarded to his Baltimore County Circuit Court Case Numbers 01-CR-3968, pursuant to §6-219(e), and 6-218. (See Also Dedo v State) The Commitment Records of Case Number 01-CR-3868, shall and should be AMENDED, to include this credit(s) to be applied against said term of imprisonment, and the

I DECLARE UNDER THE PENALTIES OF PERJURY THAT THE INFORMATION ABOVE IS TRUE AND CORRECT.

SIGNED THIS 16 day of

May, 2007

Kennan Cofield

Petitioner shall be RELEASED, and Parole term terminated, immediately.

Request Appointment of Counsel

(original signature of petitioner)

NEOCC/CCA

REQUEST A HEARING ON THE MERITS.

2240 Hubbard Road
Youngstown, Ohio 44505-3198

Petitioner requests any other relief as deemed proper.

PETITIONER REQUESTS THAT THIS COURT TAKE JUDICIAL NOTICE OVER MD §6-219(e) WHICH CONTROLS

CUSTODIAL CREDITS, and CASE NO. 01-CR-3868 (initials of petitioner)

BALTIMORE CO. CIRCUIT COURT CASE.

THIS CASE IS DUE SAID CREDITS

Petitioenr's liberty interest at stake, as the statute clearly states that anytime served in CUSTODIAL CUSTODY the Petitioner/Inmate is entitled to such credits against any and all terms of imprisonment.

The denial of the credits further caused the Petitioner to serve more time on the 4 year term, because he was denied the credits, then the term imposed by the Courts. The credits awarded would have had the Petitioner released more than a year ago, or in 2006, prior to my release in March 2007.

The Respondents have and did deny my rights to equal protection and due process of law, when, even United States District Court Judge Marvin Garbis, sent a letter to the DOC and others about the time I served on House Arrest and credits be considered. Will the Respondents dis-regarded the Judges Memo sent to the MCIH Records Department, about the Home Confinement/House Arrest credits.

§6-219 says **anytime spent on Custodial confinement.** such credits shall be applied against any term of imprisonment imposed by a Court for all cases.

THIS WOULD ENTITLED THE PETITIONER TO IMMEDIATE RELEASE from the MD Parole Commission and DOC custody arm, or have any further connection to or with their system.